

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ARTURO DEVESA VILLANUEVA,

Plaintiff,

v.

THE UNITED STATES OF AMERICA, et  
al.,

Defendants.

Case No. 5:14-cv-04976-HRL

**ORDER FOR REASSIGNMENT TO A  
DISTRICT JUDGE**

**REPORT AND RECOMMENDATION  
RE DISMISSAL FOR FAILURE TO  
PROSECUTE**

Plaintiff filed this action on November 10, 2014. There is no indication that any of the defendants have been served, and the time for effecting service has long since passed. There has been little activity on the docket since the complaint was filed. Additionally, plaintiff's counsel, who apparently is a Washington state attorney, has not applied for pro hac vice admission as required by Civil Local Rule 11-3.

This court issued an order directing plaintiff to file a status report by July 1, 2016. (Dkt. 10). No status report was filed.

This court then issued an order directing plaintiff to show cause why this case should not be dismissed for failure to prosecute and failure to follow court orders. (Dkt. 11). Plaintiff's show cause response was due by July 15, 2016. No response has been filed.

Because not all parties have consented to the undersigned's jurisdiction, this court

1 ORDERS the Clerk of the Court to reassign this case to a District Judge. The undersigned further  
2 RECOMMENDS that the newly assigned judge dismiss this action for plaintiff's failure to  
3 prosecute and failure to comply with court orders. Any party may serve and file objections to this  
4 Report and Recommendation within fourteen days after being served. Fed. R. Civ. P. 72.

5 SO ORDERED.

6 Dated: July 19, 2016

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HOWARD R. LLOYD  
United States Magistrate Judge

United States District Court  
Northern District of California

5:14-cv-04976-HRL Notice has been electronically mailed to:

Carllene Marva Placide    placide@placidelaw.com

United States District Court  
Northern District of California

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